

16569 U.S.
08/28/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

Attorney Docket No.: ABE1P003

First Named Inventor:

John R. Abe

Transmittal and the documents and/or fees itemized hereon and
attached hereto have been deposited as "Express Mail Post Office to
Addressee" in accordance with 37 CFR §1.10 with Mailing Label

Number **EL967945979US.**

03916 U.S. PTO
10/652640
08/28/03

UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))
(Continuation, Divisional or Continuation-in-part application)

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

☐ Duplicate for
fee processing

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:
John R. Abe

For: A METHOD FOR SIMULATING AN OPTIMIZED SUPPLIER IN A MARKET

This application is a ☐ Continuation ☐ Divisional ☒ Continuation-in-part
of prior Application Nos.: Unknown both filed August 19, 2003, from which priority under 35 U.S.C. §120 is
claimed.

Application Elements:

☒ 53 Pages of Specification, Claims and Abstract

☒ 70 Sheets of Drawings

☒ 02 Combined Declaration and Power of Attorney

☐ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional). The entire
disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being
part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Accompanying Application Parts:

☐ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)

☐ 37 CFR 3.73(b) Statement by Assignee

☐ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations

☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)

☒ Return Receipt Postcard

☒ Small Entity Statement(s) ☒ Statement filed in prior application. Status still proper and desired.

☒ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)

☐ Other:

Amendments

☒ Amend the specification by inserting before the first line the sentence: "This is a

☐ Continuation

☒ Continuation-in-part

☐ Divisional

application of copending prior

☒ Prior U.S. Application(s)

| | | | |
|-------------------------------------|------------------------------------|----------------------------|---|
| <u>Unknown</u> (App. Serial No.) | <u>08/19/2003</u> (Filing Date) | <u>Pending</u> (Status) | <u>SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR THE OPTIMIZATION OF PRICE TO SATISFY CERTAIN BUSINESS OBJECTIV (Title)</u> |
| <u>Unknown</u> (App. Serial No.) | <u>08/19/2003</u> (Filing Date) | <u>Pending</u> (Status) | <u>CONTINUOUS PRICE OPTIMIZATION SYSTEM, METHOD AND COMPUT PROGRAM PRODUCT FOR SATISFYING CERTAIN BUSINESS OBJECTIV (Title)</u> |

the disclosures of which is incorporated herein by reference."

Fee Calculation (37 CFR § 1.16)

| | (Col. 1) <u>NO. FILED</u> | (Col. 2) <u>NO. EXTRA</u> | <u>SMALL ENTITY</u> <u>RATE</u> <u>FEE</u> | <u>OR</u> | <u>LARGE ENTITY</u> <u>RATE</u> <u>FEE</u> |
|--|------------------------------|------------------------------|---|-----------|---|
| BASIC FEE | | | \$375 \$375 | OR | \$750 \$ |
| TOTAL CLAIMS | <u>18</u> -20 = <u>02</u> | | x09 = \$0 | OR | x18 = \$ |
| INDEP CLAIMS | <u>03</u> -03 = <u>03</u> | | x42 = \$0 | OR | x84 = \$ |
| [.] Multiple Dependent Claim Presented | | | \$140 = \$0 | OR | \$280 = \$ |
| * If the difference in Col. 1 is less than zero, enter "0" in Col. 2. | | | Total \$375 | OR | Total \$ |

☒ Check No. 8739 in the amount of \$375.00 is enclosed.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-1351 (Order No. ABE1P003).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-1351 (Order No. ABE1P003).

☒ Please send correspondence to the following address:

Silicon Valley IP Group, PC
P. O. Box 721120
San Jose, California 95172-1120
(408) 971-2573

28875
28875

Customer No.: U.S. Patent & Trademark Office

Date: 8/28/03

Kevin J. Zilka
Registration No. 41,429

| | | |
|--|----------------------|--|
| REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) | First Named Inventor | John R. Abe |
| | Title | A Method for Simulating An Optimized Supplier in a Market |
| | Atty Docket Number | ABE1P003 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8/28/03

Date

Signature

Kevin J. Zilka (Reg. No. 41,429)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**